

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

ADRIANNA PEDRIN,

Plaintiff,

Case No.: 15CV1942 BEN (KSC)

v.

JUDGE LAW FIRM,

Defendant.

**ORDER DENYING MOTION FOR
LEAVE TO PROCEED IFP**

On September 1, 2015, Plaintiff Adrianna Pedrin filed a civil complaint and a motion to proceed *in forma pauperis* (“IFP”).¹ (Docket Nos. 1-2). Because Plaintiff has failed to establish that she is unable to pay the filing fee, the motion to proceed IFP is **DENIED**.

All parties instituting any civil action in a district court must pay a filing fee. 28 U.S.C. § 1914(a). An action may proceed despite a plaintiff’s failure to prepay the entire fee only if the plaintiff is granted leave to proceed IFP pursuant to 28 U.S.C. § 1915(a).

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¹ The Court notes that Plaintiff filed a related action on August 31, 2015, *Pedrin v. Judge Law Firm*, 15cv1932 BEN (KSC), in which she also filed a motion to proceed IFP.

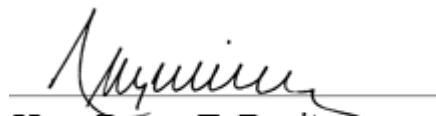
Under 28 U.S.C. § 1915(a)(1),
any court of the United States may authorize the commencement,
prosecution or defense of any suit, action or proceeding . . . without
prepayment of fees or security therefor, by a person who submits an affidavit
that includes a statement of all assets such [person] possesses that the person
is unable to pay such fees or give security therefor.

Plaintiff has submitted a motion to proceed IFP that does not identify the amount
she receives from all sources or how frequently she receives income from these sources.
(Docket No. 2 at 2.) For example, Plaintiff indicates that she receives social security,
disability, or other welfare, but does not indicate the amount or frequency of payments.
Additionally, Plaintiff indicates that she owns her home, valued at \$495,000, but also
states that she pays \$1,915 in rent. (Docket No. 2 at 3.) There could be some explanation
for this, but the Court is not inclined to speculate when it is Plaintiff's obligation to
establish she is unable to pay the fee. Finally, the Court is skeptical that Plaintiff cannot
afford to pay the filing fee when she owns a \$495,000 house. However, the Court gives
Plaintiff leave to file an amended IFP application that more clearly explains her financial
position.

Accordingly, Plaintiff's motion to proceed IFP is **DENIED** and the action is
DISMISSED without prejudice for failing to pay the filing fee. Plaintiff is granted
thirty (30) days from the date this Order is filed to pay the filing fee or file a new motion
to proceed IFP. If Plaintiff does not pay the filing fee or submit a new motion, this action
shall remain closed without further Order of the Court.

IT IS SO ORDERED.

Dated: September 21, 2015


Hon. Roger T. Benitez
United States District Judge